

REMARKS

In the above-identified Office Action most of the claims were rejected as being anticipated by the disclosure of the cited Herman patent, while Claims 17, 60, and 61 were rejected as being obvious in view of that disclosure when combined with the disclosure of the cited Burt patent. By this response, however, the independent claims of the application have been amended, and it is believed that all of the claims as now presented are allowable over the cited prior art.

In particular, the amended claims now require that the image processing apparatus holds scale-down images, and that selected images and their positions are determined based upon color information of the scale-down images. This claim subject matter is supported by the description at page 33, lines 18 to page 24, line 11 (variation 1 of third embodiment).

Referring now to the cited Herman patent, there is disclosed a generation of a mosaic image having a wide range of view by correlating source images having overlapping areas and combining the source images so as to remove seams between combined source images (shown in Fig. 7). This technique disclosed by Herman can be applied to generation of a panoramic picture based upon pictures having narrow ranges of view. The source images are selected on the basis of contents, quality and degree of overlap (see column 6, line 66 to column 7, line 67), and the selected source images are aligned automatically by various methods determining the warp parameters that provide a best match between neighboring images (column 4, lines 44-67). Again, this mosaic image forming system of the Herman patent combines the selected source images on the basis of image quality or degree of overlap.

In contrast to the disclosure of the Herman patent, the claimed invention holds scale-down images including color information of each of a plurality of material images, wherein the scale-down images correspond to the plurality of material images respectively. Instead, in column 14, lines 50-55, Herman discloses that image alignment may be done in one component only, and Herman fails to disclose that scale-down images are held by an image processing apparatus forming an image processing system together with an image storage apparatus.

A second distinction is that the claimed invention determines selected material images and their positions based on color information of scale-down images such that the selected material images have color information similar to color information of respective blocks divided from the original image. In contrast, as described in column 8, lines 33-38 and column 14, lines 53-60, source images in Herman are selected to serve as seeds, and then a mosaic is grown from each seed by adding other source images. Also, Herman fails to disclose determining selected material images and their positions such that the selected material images have color information similar to the color information of respective blocks divided from the original image based on the color information of the scale-down images by the image processing apparatus.

A third distinction is that the claimed invention stores the plurality of material images in the image storage apparatus. In contrast, although Herman discloses that the final mosaic image may be stored in a computer file in column 6, lines 36-39, Herman fails to disclose storing the plurality of material images (i.e., the source images in Herman) in the image storing apparatus.

Finally, the claimed invention outputs the selected material images determined in said determining step out of the plurality of material images stored in the storage apparatus according to the position determined in said determining step. Herman merely discloses that the final mosaic image may be displayed or printed in column 6, lines 36-39, but that reference fails to disclose outputting the selected material images determined in said determining step out of the plurality of material images stored in the storage apparatus according to the position determined in said determining step.

The cited Burt patent does not overcome any of the above-described deficiencies of the Herman patent as a rejecting reference. Accordingly, Applicants respectfully submit that the claims as now presented are allowable, wherefore the issuance of a Notice of Allowance is solicited

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-3939.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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